

NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (DOCCS)
NOTICE OF VIOLATION

TO: _____ INST.# _____

WARRANT# _____ CASE# _____ NYSID# _____

You are charged with violating the conditions of your release in the manner specified on the attached violation of Release Report.

You are being directed to report to the _____ Area Office on _____ at _____ at _____
Date Time Location
to meet with your Parole Officer. Failure to report may result in the issuance of a warrant and/or the violation being sustained.

A preliminary hearing on these charges is scheduled for _____ at _____ at _____
☐ Check here if you are eligible and wish to request a virtual hearing. Date Time Location

Should you waive a preliminary hearing, or if found by a preponderance of the evidence at this hearing that you have violated any condition of your release
in an important respect, a final hearing on these charges is schedule for _____ at _____ at _____
☐ Check here if you are eligible and wish to request a virtual hearing. Date Time Location

If your return to the State of New York cannot be affected for either hearing as scheduled above due to circumstances beyond the Department's control, you
will be afforded a preliminary hearing and final revocation hearing at such time as you become available for return.

You have the right to a preliminary and final revocation hearing. A preliminary hearing is held to determine whether, by a preponderance of the evidence,
you violated one or more of the conditions of your release in an important respect. At this hearing you have the right to be represented by counsel, to
appear and speak on your own behalf, introduce letters and documents, present witnesses who can give relevant information, and confront and cross-
examine adverse witnesses. Proof of your conviction of a crime committed after your release shall constitute prima facie evidence of a violation of a
condition of release. Your waiver of the right to this preliminary hearing is equivalent to a finding of a preponderance of the evidence at such a hearing.

At the final revocation hearing, the presiding officer will determine whether there is clear and convincing evidence to support each of the charged violations.
At this hearing, you have the right to be represented by counsel; to appear and speak on your own behalf; to introduce letters and documents; present
witnesses who can give relevant information; and confront and cross-examine adverse witnesses. At this hearing, you also have the right to present
mitigating evidence relevant to your restoration to community supervision.

In the event you are convicted of a felony offense committed while under community supervision and you receive a new sentence, any scheduled final
revocation hearing may be cancelled. In such instances, the Board of Parole may issue a final declaration of delinquency based upon that conviction and
sentence. In the event the Board of Parole issues a final declaration of delinquency, you will be served with a copy of that determination together with a copy
of the commitment.

A request to adjourn either the preliminary or final revocation hearing must be made in writing, to the local area office. In the case of a preliminary hearing, a
minimum three (3) day notice is required, and in the case of a final hearing, a minimum seven (7) day notice is required. Requests for adjournments made
at the hearing will only be granted for good cause shown.

Violation of Release Report received:

Signature Date

All persons charged with a violation are required to be present at all proceedings authorized by the Board of Parole regarding the violation of community
supervision. Any voluntary failure on your part to be present at any of these proceedings may result in a finding that your failure to appear was a voluntary,
knowing, and intelligent waiver of your right to appear. Should such a finding be made, a hearing in absentia can be held and a final determination be made
regarding the charges pending against you, including, if necessary, time assessments due to the violations of community supervision.

☐ I **DO** wish to have a preliminary hearing ☐ I do **NOT** wish to have a preliminary hearing

Date Signature of Releasee

Date Signature of Witness

If you cannot afford an attorney and wish to have counsel at your preliminary hearing, sign and detach this form. It is your responsibility to mail the form to
the address shown on the form. If you request counsel at your preliminary hearing, you must mail this form **IMMEDIATELY**.

TO: _____ RE: _____
Name

WARRANT # or Case #

I am an alleged community supervision violator being held at: _____

I am scheduled for a preliminary hearing to be held on _____ at _____ at _____
Date Time Place

I have waived my preliminary hearing. A final hearing has been scheduled for _____
Date

at _____ at _____
Time Place

I cannot afford an attorney and request that I be assigned counsel. Releasee _____
Signature